

Cp379.23
N87p1

Child Accounting and School Attendance



THE LIBRARY OF THE
UNIVERSITY OF
NORTH CAROLINA



THE COLLECTION OF
NORTH CAROLINIANA

Cp 379.23
N87p1

This **BOOK** may be kept out **TWO WEEKS ONLY**, and is subject to a fine of **FIVE CENTS** a day thereafter. It is **DUE** on the **DAY** indicated below:



**CHILD ACCOUNTING
and
SCHOOL ATTENDANCE**

**State Superintendent
of Public Instruction
Raleigh, North Carolina**

PUBLICATION NO. 298

CHILD ACCOUNTING
AND
SCHOOL ATTENDANCE



1954

Issued by the State Superintendent of Public Instruction,
Raleigh, N. C.



Digitized by the Internet Archive
in 2011 with funding from
Ensuring Democracy through Digital Access (NC-LSTA)

FOREWORD

Because general education is essential to the welfare of the State, a law has been enacted by the North Carolina General Assembly making school attendance compulsory for all children between the ages of seven and sixteen. The State Board of Education has been authorized to prepare such rules and regulations as may be necessary for the proper enforcement of this law. The State Board is also clothed with the authority to adopt rules and regulations for taking a complete census and for keeping a continuous census of the school population. These rules and regulations are included as a part of this publication.

This bulletin also includes many other matters concerning child accounting and school attendance, as indicated in the Contents. Insofar as possible these various matters are attuned to the legal aspects of school attendance and the procedures for complying with the law. It will be noted that each member of the professional staff has a responsibility in school attendance. Where attendance workers or visiting teachers are employed, they of course have as their primary duty that of helping parents understand their responsibility in accordance with the law and with the regulations of the State Board of Education, the opportunities which the schools offer to the children of the State, and the importance of schools in the life of the individual, the State and the Nation. Where no attendance worker is employed, the superintendent of public welfare is charged by law to enforce the compulsory school attendance law. It is hoped that we shall not be compelled to resort to law enforcement in order to maintain regular school attendance, but rather that all parents will want their children to receive as good an education as can be provided.

As we work together to achieve better schools, let us be mindful of the importance of regular school attendance.



State Superintendent of Public Instruction

May 1, 1954

CONTENTS

	Page
I. CHILD ACCOUNTING FACTORS	
A Continuous Census	5
Enumeration Procedure	5
Those Entitled to Attend School	7
Entrance Age	8
Immunizations	8
Kindergartens	9
Private Schools	9
Transportation	9
Records and Reports	11
II. COMPULSORY SCHOOL ATTENDANCE	
Historical	13
Rules and Regulations	14
III. CHILD LABOR PROVISIONS	
Age and Hour Requirements	24
Street Trades	25
Other Provisions	26
IV. CHILD ADJUSTMENT SERVICES	
School Attendance Workers	27
Public Welfare Services	28
School Health Services	30
Special Education Services	31
Guidance Services	32
V. APPENDIX	
Laws	34
Rulings of Attorney General	43
Child Accounting Forms	51

I. CHILD ACCOUNTING FACTORS

A CONTINUOUS CENSUS

An accurate and complete census of all school age children is essential to the administration and operation of an efficient school system. On the accuracy of the count of those eligible to attend the public schools depends the potential school size and a knowledge of grade distribution including especially the number of school beginners. Information learned by the census also includes the number of physically and mentally handicapped and a record of those attending private schools. With the information thus obtained, boards of education and other school authorities are able to determine whether the schools are discharging their responsibility according to law and whether parents and guardians are complying with the compulsory attendance law.

The Constitution of North Carolina (Art. IX, sec. 2) authorizes the General Assembly to provide for "a general and uniform system of public schools, wherein tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years." The school census, therefore, if it comes within the scope of this provision and if it is to enable school authorities to exercise their full responsibilities, must include all children between the ages specified. It *must* include not only those children who attend public schools, but also those who attend or express an intent to attend private schools. It must include those who have graduated from high school, those who have dropped out of school after reaching their sixteenth birthday, those who are employed or who are attending college, and those who are deaf, blind, crippled, or have been properly exempted from school, or who are in orphanages or other institutions.

ENUMERATION PROCEDURE

North Carolina law (sec. 115-60) authorizes the State Board of Education to adopt such rules and regulations as may be necessary for taking a complete census of the school population and for installing and keeping in the office of the county superintendent in each county of the State *a continuous census* of the school population. A subsequent act (sec. 115-352) provides that city administrative units shall be dealt with by State school authori-

ties in all matters of school administration in the same way and manner as are county administrative units.

In compliance with this authority the following procedure has been adopted:

1. The superintendent as head of the county or city administrative unit is responsible for keeping the continuous census in compliance with the law.

a. He may delegate this duty to the attendance worker, or otherwise instruct teachers and principals as to the procedure for obtaining an accurate and complete census at the beginning of each school year and for keeping this census continuous by monthly corrections during the school term.

b. He shall provide teachers and principals with forms upon which all census data shall be entered, and from which basic data relative to making various required reports may be obtained.

2. The principal, or head teacher, shall keep a card file of all children in the district over which he has jurisdiction. A summary of this file shall be filed in the office of the superintendent.

a. A census card shall be available prior to school opening during each year for each child between the ages of six and twenty-one years. The file shall include children who will be eligible to enter first grade the ensuing school year.

b. The census card may be provided by the school board, or it may be the form printed and purchased from the State Department of Public Instruction. (See Appendix.)

c. The information on the card shall include the full name of the child, date of birth, age, sex, race, place of residence, name and address of parent or guardian, and such other information as may be necessary and indicated.

3. The cost, if any, of taking the census shall be a legitimate item in the school budget and shall be paid out of funds classified as general control.

4. "If any parent, guardian, or other person having the custody of a child, refuses to give any properly authorized census taker, teacher, school principal, or other school official charged with the duty of obtaining the census of the school population

of any district, the necessary information to enable such person to obtain an accurate and correct census, or shall knowingly and willfully make any false statement to any person duly authorized to take the school census of any district relative to the age or the mental or physical condition of any child, he shall be fined not to exceed twenty-five dollars or imprisoned not to exceed thirty days in the discretion of the court." (sec. 115-60.)

5. As an aid in the administration of the compulsory school attendance law and in order to secure better school attendance throughout the State, the attendance officer or other person responsible for the enforcement of the law, shall be furnished with a complete census file.

THOSE ENTITLED TO ATTEND SCHOOL

1. Every child between the ages of six years (including those eligible to enter first grade of the year enrolled) and twenty-one years who is a resident of any school district in North Carolina may attend the public schools in that district. "School children shall attend school within the district in which they reside unless assigned elsewhere by the State Board of Education." (Sec. 115-352.) More specifically this includes:

- a. "All residents of the district who have not completed the prescribed course for graduation in the high school.
- b. "All children whose parents have recently moved into the district for the purpose of making their legal residence in the same.
- c. "Any child or children living with either the father or the mother or guardian who has made his or her permanent home within the district.
- d. "Any child received into the home of any person residing in the district as a member of the family, who receives board and other support free of cost." (Sec. 115-213.)
- e. "Children physically or mentally handicapped where classes have been provided in accordance with Article 313, sec. 115-31.11—115-31.19.
- f. "Children living in and cared for and supported by an institution established or incorporated for the purpose of rearing and caring for orphan children shall be considered legal residents of the unit or district in which the institu-

tion is located, and a part or all of said orphan children shall be permitted to attend the public school or schools of the unit or district." (Permissive only.) (Sec. 115-67.) g. Migratory children, or children domiciled temporarily in any school district for seasonal employment, shall be subject to the compulsory attendance law.

2. "Every deaf and every blind child of sound mind in North Carolina who shall be qualified for admission into a State school for the deaf or the blind shall attend a school for the deaf or the blind for a term of nine months each year between the ages of six and eighteen years." (Sec. 115-309.)

3. The mentally incompetent shall be excluded from the public school.

"Mental incapacity shall be an excuse for non-attendance, and is interpreted to mean feeble-mindedness or such nervous disorder as to make it impossible for such child to profit by instruction given in school or impracticable for the teacher properly to instruct the normal pupils of the school." (Sec. 115-303.)

ENTRANCE AGE

"Children to be entitled to enrollment in the public schools for the school year 1939-40, and each year thereafter, must be six years of age on or before October first of the year in which they enroll, and must enroll during the first month of the school year. The State Board of Education is hereby authorized and empowered, in its discretion, to change the above date of October first." (Sec. 115-371.) The applicable age for any particular year should be ascertained from the local superintendent of schools.

IMMUNIZATIONS

Smallpox. "All children in North Carolina are required to be immunized against smallpox before attending any public, private, or parochial school. . . . No principal or teacher shall permit any child to enter a public, private or parochial school without "the required immunization certificate, or some other acceptable evidence that the child has been immunized against smallpox. This requirement does not apply to children of parents who are members of a religious organization whose teachings are contrary to this law." (Sec. 130-183.)

Diphtheria. "No principal or teacher shall permit any child to enter a public, private, or parochial school without this certificate (physician's certificate indicating administration of prophylactic diphtheria agent), or some other acceptable evidence of immunization against diphtheria." The law specifies that this immunization shall be administered to children between the ages of six months and twelve months, or between the ages of twelve months and five years if such immunization has not been administered previously. (Sec. 130-190) This section does not apply to children whose parent or parents or guardian are bona fide members of a recognized religious organization whose teachings are contrary to such practices.

Whooping Cough. "All children in North Carolina are required to be immunized against whooping cough before reaching the age of one year. . . . No principal or teacher shall permit any child to enter a public, private, or parochial school without the certificate" of the physician showing that such immunization has been administered. (Sec. 130-190.1.) This section does not apply to children whose parents are bona fide members of a recognized religious organization whose teachings are contrary to such practices.

KINDERGARTENS

Under the law (Sec. 115-65) public kindergartens may be established provided a special tax is voted in a special election for that purpose.

PRIVATE SCHOOLS

The provisions of the compulsory attendance law apply to "such private schools as have tutors or teachers and curricula that are approved by the county superintendent of public instruction or the State Board of Education." (Sec. 115-302.)

TRANSPORTATION

"The use of school busses shall be limited to the transportation of children to and from school for the regularly organized school day and to the transportation of accredited teachers in the public school system on active duty while going to and from school in the discharge of their duties for the regularly organized school day. . . .

"The State Board of Education is authorized and empowered under rules and regulations (to be adopted) by said Board of Education, to permit the use and operation of school busses for the transportation of school children on necessary field trips while pursuing the courses of vocational agriculture, home economics, trade and industrial vocational subjects, to and from demonstration projects carried on in connection therewith; provided that under no circumstances shall the total round trip mileage for any one trip exceed twenty-five miles nor on any such trip shall a State owned bus be taken out of the State of North Carolina. . . .

"The State Board of Education is authorized and empowered, under rules and regulations (to be adopted) by said Board, to permit the use and operation of school busses for transportation of school children and school employees within the boundaries of any county or health district to attend State planned group educational or health activities, specifically excluding athletic or recreational activities, which educational or health activities in the judgment of the State Board of Education are directly connected with the public school program as administered with the counties of the State, and which are conducted under the auspices or with the sanction of the State Board of Education. . ." (Sec. 115-374.)

"The State Board of Education is hereby empowered, in order to properly organize the public schools of the State, to operate the school busses one day prior to the opening of the regular school term for the purpose of registration of students, organizing classes, distributing textbooks, and such other purposes as will promote the efficient organization and operation of the public schools of the State." (Sec. 115-375.)

"School children shall not be transported except to the school to which said child is assigned by the county board of education or the State Board of Education under the provisions of G. S. 115-352." (Sec. 115-376.)

"Unless road or other conditions make it inadvisable, school busses shall be routed on State maintained highways so as to get within one mile of all children who live a greater distance than one and one-half miles from the school to which they are assigned." (Sec. 115-376). Exceptions to this law are permitted in order to prevent extreme hardship or danger to pupils who live more than one and one-half miles from school.

RECORDS AND REPORTS

A system of records and reports is essential to proper child accounting and pupil personnel work. In North Carolina a number of such record and report forms have been devised for this purpose:

1. *The Census Card.* (Discussed on pp. 5-7.)
2. *The Register.* There are two State types—Elementary and High School. They are alike in many respects. Instructions for keeping the register are printed on the inside cover pages of each type. Unless these instructions are carefully followed by the teacher, the data as to school attendance will not be true. It is essential, therefore, that every teacher follow the same procedure in order that such records will be uniform for the State as a whole.
3. *Teachers' Monthly Grade Report.* Sheets (blue) in sufficient quantity have been printed as a part of the register. These reports should be completed and filed with the principal at the end of each school month.
4. *Principals' Monthly Report.* Each school principal shall file with the superintendent a report showing various facts as to school attendance as required. The Teachers' Monthly Grade Reports and Census Reports are used as a basis for compiling this principals' report. The State form is furnished free to superintendents for distribution to principals.
5. *Teachers' Yearly Grade Report.* This form is also included as a part of the register and instructions for making it are contained therein. It should be filed promptly at the close of the year with the principal.
7. *Principals' Final Report.* Information for making this report is compiled from the Teachers' Yearly Grade Reports and from other sources available to the principals. It should be filed promptly at the close of the school year with the superintendent of schools.
8. *Statistical Report.* This Report, made in the office of the superintendent (county and city), is a tabulation of the data contained on the Principals' Final Reports and of other information which is available from other records in the superintend-

ents' office. A summary of the tabulated data by schools constitutes the official record of the administrative unit for the school year. A copy of this Report is filed with the State Superintendent of Public Instruction.

9. *North Carolina Cumulative Record, Grades 1-12.* This form has been devised for keeping certain data concerning each child from his school entrance, grade by grade, until his withdrawal or graduation from high school. It is a folder type form. Directions for its use are contained in a separate publication, *A Manual of Directions for Using the North Carolina Cumulative Record.* The forms are printed and sold to the local units by the State Department of Public Instruction.

A duplicate copy of the Cumulative Record should be sent to the principal of the school to which a pupil has transferred. When a pupil drops out or graduates from school, the Record should at the end of the year be transferred to an inactive file.

II. COMPULSORY SCHOOL ATTENDANCE

HISTORICAL

In the early decades of the history of public education in the State, the establishment and support of the free public school system was the main concern of those in authority. The big problem was taking care of those who wanted an education in terms of school buildings and teachers. The question of compulsory school attendance did not arise until the beginning of the present century. Upon taking office in 1902, State Superintendent J. Y. Joyner called attention to poor school attendance; but he at that time advocated better attendance by attraction and persuasion only, except in some mill and factory districts where because of the extremely poor situations he advocated "legislation looking to compelling these children to attend the schools while in session." There is no record of any such law being enacted as a result of Joyner's recommendation, except what he called a "mild compulsory attendance law" which was passed by the General Assembly of 1903 for Macon County.

Thinking that other counties would follow the lead of Macon by having special laws passed governing compulsory attendance, Joyner did not advocate a State-wide law until 1907, when he proposed "reasonable, conservative compulsory laws." A law applying to children between the ages of eight and fourteen was enacted as a result of this recommendation, but its enforcement was made optional with the local community or county.

It was not until 1913 that the first State-wide compulsory attendance law was enacted. This law applied to all children between eight and twelve years of age during the period school was in session. In 1917 the upper age limit was raised to fourteen years. In 1921 the minimum age was lowered to the present seven years. And the General Assembly of 1945 raised the upper limit to fifteen years for the school term 1944-45 and to sixteen years thereafter. With certain exceptions the law now provides for compulsory attendance in school of all children between the ages of seven and sixteen for the duration of the school term for the year, which is generally nine months.

Under the present law (Sections 115-302 to 115-312), the State Board of Education is clothed with the authority "to formulate such rules and regulations as may be necessary for the proper enforcement" of the compulsory attendance law.

Rules and Regulations

(Adopted originally by the State Board of Education, February 24, 1944. Revised and readopted March 4, 1954.)

COMPULSORY AGE AND ATTENDANCE

All children "between the ages of seven and fifteen," that is, from the seventh to the fifteenth birthday during the school year 1944-45 and "between the ages of seven and sixteen" thereafter, are required to attend the public school continuously, except as hereinafter provided. If the public school in the district in which the child resides runs six months, or even as much as nine months, the child must attend so long as the public school is in session. A public school is construed to mean the school in the district supported by State and county funds.

Except where a special attendance officer is employed under the provisions of section 115-304, the county superintendent of public welfare is the chief school attendance officer provided for by law and is charged with the duty of investigating and prosecuting all violations of the compulsory attendance law. The reports of the teachers give him the necessary information upon which to proceed in the enforcement of the law.

PRIVATE SCHOOLS AND TUTORS

If a child is attending a private school, he must attend for a term equal to that of the public school provided in the district in which the child resides. [*The original regulation with reference to private schools is now incorporated in section 115-302 of the general compulsory attendance law.*] (1925, c. 226, s. 1.)

WHEN ABSENCES MAY BE EXCUSED

Section 115-302 of the compulsory attendance act provides that "the superintendent, principal, or teacher who is in charge of such school shall have the right to excuse a child for temporary absence on account of sickness or distance of residence from the school, or other unavoidable causes which do not constitute truancy as defined by the State Board of Education." The superintendent, principal, or teacher, whenever said teacher is in charge of the school, may excuse children for non-attendance under the following conditions:

1. **Illness of the child** that incapacitates the child from attending school shall constitute a legitimate excuse for non-attendance. The principal or teacher, however, shall require a physician's certificate if a child is continually absent for illness, unless the teacher is satisfied that the child is really unable to attend school. But wherever it is inconvenient to secure a physician's certificate, it shall be the duty of the teacher to investigate continued absence for illness, and if the teacher is not satisfied that the reputed illness is sufficient cause for absence, she shall report the case to the county health officer for final decision.

2. **Illness in the home** is a legitimate excuse for non-attendance wherever it is apparent that the child's services are needed in the home or wherever there may be danger of spreading a contagious disease.

3. **Death in the immediate family** is likewise a legitimate excuse for non-attendance.

4. **Quarantine** is, of course, a legitimate excuse, and quarantine shall be understood to mean isolation by order of the local health officer or by the State Board of Health.

5. **Physical incapacity** shall be an excuse for non-attendance. This shall be interpreted to mean physical defects which make it difficult for the child to attend school, or which render the instruction of the child impracticable in any other than special class or a special school. Wherever possible, special classes should be provided for such pupils, who would be encouraged though not required to attend.

6. **Mental incapacity** shall be an excuse for non-attendance as defined in G.S. 115-303.

7. **Severe weather** that may be dangerous to the health or safety of the children in transit to and from school shall constitute a legitimate excuse for non-attendance.

8. **Distance from the school** shall constitute a legitimate excuse for non-attendance if a child resides two and one-half miles or more by the nearest route of travel from the schoolhouse or an established bus route.

NOTE: The present law on State transportation of pupils provides that the bus route shall come within one mile of the child unless road or other conditions make it inadvisable.

9. **The completion of the course of study** of the public school attendance area in which the child resides shall excuse the child from attending school, although said child may not have reached his sixteenth birthday.

10. **Demands of the farm or home.** Section 115-303 of the compulsory school act provides that "immediate demands of the farm or home" in certain seasons of the year in the several sections of the State shall constitute a legal excuse for temporary non-attendance, and the State Board of Education is authorized to formulate such rules and regulations as it may deem necessary to meet the provisions of this act. Since the conditions in different parts of the State are so unlike, the State Board of Education authorizes the county board of education and the governing authorities of city administrative units to excuse temporary non-attendance in any particular county where the agricultural conditions are such as to show a reasonable need for the services of the children, under the following conditions:

- a. Where it is apparent that the demands of the farm of the parent are serious enough to require the immediate services of the child, and
- b. Where it is apparent that sufficient assistance to meet these demands is not at hand and cannot be secured.
- c. Where it is apparent that the demands of the home, due to sickness or other causes, are such as to call for the immediate assistance of any child, and
- d. Where it is apparent that immediate assistance is not available in the home and cannot be secured.

There is no desire to work any hardship on any community. The object is to secure attendance first, and not to make the law so stringent as to work a hardship. It is well known that in the trucking season of the year the assistance of the older children in many cases is necessary. Moreover, at certain times during the cotton-picking season the assistance of the children is necessary. In other sections of the State agricultural demands may be such as to make the assistance of the older children necessary. But it hardly can be said that the children under ten years of age can be of much assistance, either in the cases of farm or domestic needs.

In such seasons of the year it might be wise to open school earlier and close about 12 or 1 o'clock, thus permitting the pupils to attend school the first half of the day and to aid their parents the second half. This has been tried with success in certain districts and only a very few students are actually required in the home or in the fields during the school season.

Absences under this rule shall not exceed 10 per cent of the school year. This would be 18 days in accordance with the present nine months school term (180 days).

For procedure for regulating absences under this rule, see 2, a, under "Rules of Procedure" below.

UNLAWFUL ABSENCES

Truancy.

Truancy is here defined to mean absence from school on the part of the child without the knowledge of the parent. The school should coöperate in every way possible with the parent to prevent or correct truancy, and the necessity for assuming this responsibility should be impressed upon the parent. It is particularly important to correct truancy in its early stages, because if not corrected there, it usually leads to serious forms of delinquency.

Any child who willfully absents himself from school for at least one day, is guilty of truancy, and it shall be the duty of the teacher to explain this law to the pupil and parent. If the child persists in willfully absenting himself from school, the teacher shall report the same to the principal and he to the attendance officer.

Other Unlawful Absences.

Section 115-305 of the compulsory attendance act provides that any parent or guardian violating the provisions of this act shall be guilty of a misdemeanor, that is, if any parent is the cause of the child's non-attendance by keeping said child at home or permitting the child to be employed in any way contrary to the Child Welfare Law (Chapter 110 of the Code), he shall be guilty of a misdemeanor and the penalty is prescribed in section 115-305.

All absences due either to truancy or indifference of the parents shall be considered unlawful absences. Such absences shall be construed as violations of section 115-305 of the compulsory attendance law.

Parents who refuse to comply with the health regulations of a community, such as compulsory vaccination, thereby causing their children to be excluded from the school, are responsible for the non-attendance of their children and come within the provisions of section 115-305 of the compulsory school law.

SUSPENSION FROM SCHOOL

Whenever the conduct of any pupil in school is such as in the opinion of the teacher should merit suspension, the teacher shall report the child, together with the causes for suspension to the principal; and if upon investigation the principal deems suspension advisable, he shall make the order of suspension and report the child and the cause of suspension to the attendance officer, who may carry the child before the judge of the juvenile court having jurisdiction in the matter.

The teacher and parent should coöperate to save the child to the school, and the teacher should use great caution in handling such cases, for suspension should always be the last resort of a teacher. No child should be suspended unless it is evident that the welfare of the school is endangered by his presence. Moreover, teachers should not hesitate to reinstate a pupil if it is at all evident that the child may be reclaimed, and a reinstatement should be allowed by the juvenile court as a part of the conditions of probation for the child.

RULES OF PROCEDURE AS TO ENFORCEMENT OF THE LAW

The Teacher.

The teacher is the key person in the enforcement of the compulsory attendance law. It is her duty:

1. To inform pupils and parents of the value and importance of regular school attendance.
 - By classroom activities
 - By assembly programs
 - At P. T. A. and teachers meetings
 - By visits and talks with individual parents or guardians
 - By written material (printed or mimeographed), and
 - By building up public sentiment in the community for regular school attendance.

2. To ascertain the cause of non-attendance and thus determine when an absence is *excused* or *unexcused* in the legal sense. (See Rules and Regulations of the State Board of Education (pp. 14 and 17) and section 115-144 of the General Statutes of North Carolina, 1943.)

a. *Written Excuses.* Although the law does not specify in what manner the teacher shall obtain the information as to the cause of an absence, the system of requiring written excuses has been very successful and is recommended as the general practice to be followed. However, where the teacher obtains knowledge otherwise that the cause of an absence is lawful under the Rules and Regulations adopted by the State Board of Education and a written excuse is not provided, such absences should not be reported as "unlawful." In case written excuses *are required* the teacher should advise children and parents of the necessity of prompt excuses. (May be included in 1 above.) Each child should be instructed to bring from the parent the written excuse giving the cause of absence on the *first day* upon returning to school after having been absent.

In the case of Rule 10, applying to absences due to demands of the farm or home, the following procedure should be followed:

- (1) Parent should make request for pupil's absence to the teacher, stating the approximate number of days of intended absences and purposes for absence. This should be made several days prior to the intended period of absence.
- (2) The teacher should refer this request to the principal who in turn requests the attendance officer (or superintendent of public welfare) to investigate the demands of farm of the parent concerned.
- (3) After investigation the attendance officer reports to the principal as to the facts in the case.
- (4) On the basis of this report and such other facts as he may have, the principal approves or disapproves the request for the pupil's absence, and notifies the parent and teacher.

- b. *Notice of absence.* In case no written excuse has been provided or the teacher has not obtained the cause of any child's absence from any other source, a written inquiry or "Notice of Absence" shall be sent to the parent or guardian of that child requesting that an excuse be given or that such child will be reported to the Attendance Officer for violation of the Compulsory Attendance Law. NOTE: A printed form, *Notice of Absence*, Form C3, may be secured from the principal of the school for use in this connection. (See below.)
- c. *Report to principal.* In case no reply is received from this Notice within a reasonable time, not exceeding 5 days, and the child has not returned to school, the teacher shall report that child to the principal. (*Report of Unlawful Absence* form shall be used.)

The Principal.

The principal, as head of the school, shall assume the responsibility for the enforcement of the compulsory attendance law and the Rules and Regulations adopted by the State Board of Education in relation thereto in the following particulars:

- 1. He shall, in so far as it relates to his activities, utilize the means outlined under 1 above to inform pupils, parents, and teachers as to their respective duties in respect to school attendance. He shall also perform the duties as specified in 2,a above.
- 2. He shall keep a supply of each of the prescribed forms on hand for the use of himself and the teachers working under his supervision. These he will secure from the superintendent or mimeograph them in accordance with forms suggested and approved by the superintendent.
- 3. He shall report on the forms prescribed cases of *unlawful absence* to the attendance officer.
 - a. *Report of Unlawful Absences.* When the principal receives a report from the teacher that a child is or was unlawfully absent from school, he shall report that child's absence to the attendance officer on the form provided for that purpose (Form C5) and giving the information in detail concerning each person so reported as indicated

on the form. He shall prepare such reports on unlawful absence in duplicate, sending both copies to the attendance officer. *Whenever possible*, it is suggested that the principal confer in person with the attendance officer concerning each particular case and giving additional facts surrounding each violation of the law which are not indicated on the form. (See "Attendance Officer" below.)

- b. **Court Cases.** In case a child or parent is reported to the court for failure of the child to attend school, the principal may be called as a witness in the case; and it will be his duty to appear when so called at the time and place specified, and have with him the teacher's report of unlawful absence (Form C5) as well as the teacher in person, if available.
4. He shall report to the welfare superintendent the "School Record," Form D. L. 4, of any child who expects to enter employment following the close of the school term.

The Superintendent.

The superintendent as head of the county or city administrative unit should assume, as a part of his duties in the administration of the public schools, the responsibility for creating and encouraging a community public sentiment favorable to the enforcement of the Compulsory Attendance Law.

1. He should through teachers meetings, P. T. A. meetings, the newspapers, mimeograph statements and other media keep the public informed about the value, importance and necessity of regular school attendance, and he should advise his principals and teachers as to their duties and responsibilities in respect to the enforcement of the law and in building up public sentiment for regular school attendance.
2. It shall be his special duty to arrange with the attendance officer of his unit for meetings with teachers and principals for discussions concerning school attendance and the enforcement of the compulsory attendance law to the end that the law may operate as frictionless and as smoothly as possible.

3. He shall endeavor to arouse a spirit of cooperation among all concerned—pupils, parents, teachers, principals, attendance officers, and court officials—in the administration of the law.
4. He shall also provide such forms and materials as are necessary for the administration of the law and the Rules and Regulations of the State Board of Education, and distribute this material to the school principals.

NOTE: Some of these forms may be obtained from the State Superintendent of Public Instruction. The superintendent is free, however, to devise any form that may fit the needs of his unit better or furnish statements concerning the question of school attendance to his principals and teachers. This may be necessary in case a special attendance officer is employed. A letter or statement to principals and teachers at the beginning of the year, in which attention is called to the law and with the suggestion that a statement be prepared and distributed to the children for the parents, is especially desirable.

The Attendance Officer.

It is the duty of the attendance officer under the law "to investigate and prosecute all violators" of the compulsory attendance law.

1. *Investigation.* Upon receiving from the principal a report of unlawful absence or the request for absence under rule 10 covering any child, the attendance officer (or superintendent of public welfare in case no special attendance officer is employed) shall investigate the conditions surrounding the causes of absence or proposed absences of each case. In so far as practicable, the investigation should be done by personal visit.
 - a. *Poverty.* Poverty shall not be a lawful excuse for absence from school. In case the unlawful absence is due to poverty, the attendance officer should report the case to the welfare superintendent. In case no special attendance officer is employed the welfare superintendent will provide the necessary clothing to the extent of funds available in accordance with the welfare law.

- b. *Truancy and parental indifference.* In case a personal visit is not feasible, a personal letter should be sent to the parent in which attention is called (1) to the child's being reported for unlawful absence and (2) to the failure of the parent to render a valid *excuse* to the teacher for his non-attendance, with (3) the warning that unless the child returns to school immediately, or a satisfactory excuse is rendered to the principal and attendance officer as to why the child is or was not in school, that under the compulsory school law the parent will be prosecuted, or in the case of truancy, that the child will be carried before the judge of the juvenile court.
- 2. *Prosecution.* In case of a personal visit no satisfactory excuse is furnished by the parent, or if the parent shall fail within a reasonable time (to be stipulated in the letter of notification) to furnish a satisfactory excuse as to the child's absence, then the attendance officer shall cause a warrant to be issued against the parent charging a violation of the Compulsory Attendance Law. If from the investigation "truancy" has been determined as the cause of a child's absence, then the attendance officer shall cause a summons to be issued requiring the parent to bring the child before the Juvenile Court Judge upon a day certain for a hearing. If the child is not brought into Juvenile Court in answer to the summons, then a warrant shall be issued and served by an officer of the law. The testimony of the attendance officer shall be admitted as evidence in each case.
- 3. *Report to Principal.* The attendance officer shall report to the principal the results of the investigation, or prosecution, in case there is any, of each case reported. The duplicate copy of the report of the unlawful absence to the attendance officer shall be used for this purpose. The original copy properly filled out shall be retained in the files of the attendance officer as his official record on the case.

III. CHILD LABOR PROVISIONS

(Reprinted from Bulletin No. 158, State Child-Labor Standards, Bureau of Labor Standards, Washington 25, D. C.)

AGE AND HOUR REQUIREMENTS

Minimum age.

16 in any factory at any time or in any gainful occupation during school hours.

14 in nonfactory employment outside school hours.

Exempted from all provisions of the child-labor law: Farm work and domestic work performed under the direction or authority of minor's parent or guardian.

(See also *Street trades* and *Hazardous occupations prohibited*.)

Certificates.

Employment certificates: Required for employment of minors under 18 in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian. Physician's certificate of physical fitness required. No educational requirement, but school record required. Issuing officer may refuse to issue certificate if best interest of minor will be served by such refusal. Promise of employment required.

Age certificates for minors 18 and over: Issued on request for minors between 18 and 21.

Employment and age certificates issued by: County or city superintendent of public welfare under conditions prescribed by State Department of Labor.

Hours.

8-hour day, 40-hour week, 6-day week, for children under 16 in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian.

Combined hours of work and hours in school for children under 16 employed outside school hours shall not exceed 8 a day.

9-hour day, 48-hour week, 6-day week, for minors between 16 and 18 in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian.

Telegraph messenger boys are excepted from the 6-day week in towns where a full-time service is not maintained on Sunday, and may work 7 days a week but not more than 2 hours on Sunday.

Night work.

Prohibited from 6 p.m. to 7 a.m. for minors under 16 in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian.

Prohibited for boys between 16 and 18 from 12 midnight to 6 a.m. in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian, and *except* work until 1 a.m. as messengers. (Employment of girls under 18 as messengers entirely prohibited.)

Prohibited for girls between 16 and 18 from 9 p.m. to 6 a.m. in any gainful occupation, *except* farm work and domestic work performed under the direction or authority of minor's parent or guardian, and *except* that girls 17 years of age may be employed until 10:30 p.m. as ticket takers, concession attendants, and cashiers in motion picture theaters under such rules and regulations as the Commissioner of Labor may prescribe.

STREET TRADES

Minimum age: Girls 18, boys 14, in distributing, selling, exposing or offering for sale newspapers, magazines, periodicals, candies, drinks, peanuts, or other merchandise, in any street or public place, or working as bootblack, in any street or public place, *except* boys 12 or over employed outside school hours on certificate from Department of Labor in the sale or distribution of newspapers, magazines, or periodicals where not more than 75 customers are served in 1 day.

Hours: 10-hour week, for boys between 12 and 14 attending school and working outside school hours in sale or distribution of newspapers, magazines, or periodicals to not more than 75 customers in any 1 day.

8-hour day (including time spent in school), 40-hour week, 6-day week, for boys between 14 and 16 in any of the street trades for which the minimum age is 14, *except* that boys distributing newspapers, magazines, or periodicals on fixed routes may work

7 days a week (between 5 a.m. and 8 p.m.) for not more than 4 hours a day, or 24 hours a week.

Night work: Prohibited from 7 p.m. to 6 a.m. for boys between 12 and 14 attending school and working outside school hours in sale or distribution of newspapers, magazines, or periodicals to not more than 75 customers in any 1 day.

Prohibited from 7 p.m. to 6 a.m. for boys between 14 and 16 and from 12 midnight to 6 a.m. for boys between 16 and 18 in any of the street trades for which the minimum age is 14, *except* that boys distributing newspapers, magazines, or periodicals 7 days a week on fixed routes are prohibited from work from 8 p.m. to 5 a.m.

Employment certificates: Required for all boys under 18. Where the relationship of employer and employee does not exist between the minor and the supplier of the merchandise that the minor sells, parents or guardians are required to obtain an employment certificate.

OTHER PROVISIONS

Meal period.

1/2 hour required for children under 16.

1/2 hour required for any retail or wholesale mercantile establishment or other business where any females are employed in the capacity of clerks or salesladies, or waitresses or other employees of public eating places, *except* bookkeepers, cashiers, or office assistants, and *except* establishments employing less than three persons.

Hazardous occupations prohibited.

Under 16 in a comprehensive list of specified hazardous occupations. (See also *Minimum age*.)

Under 18 in a limited list of hazardous occupations.

Under 18 in any place of employment or occupation declared hazardous by the Department of Labor.

Agency authorized to enforce child-labor law.

Department of Labor, Raleigh.

Status of illegally employed minors under the Workmen's Compensation Act.

Illegally employed minors are covered by the compensation act and receive the same compensation as if legally employed.

IV. CHILD ADJUSTMENT SERVICES

SCHOOL ATTENDANCE WORKERS

The employment of school attendance workers to work under the direction of the local superintendent of schools is the most logical and most efficient means of improving school attendance in the State. Some school units, in accordance with permissive legislation, employ such workers. In those units which do not employ attendance workers, the county superintendent of public welfare in accordance with the law is "charged with the duty of investigating and prosecuting all violators of the compulsory attendance law." This particular duty is only part of the work of an attendance worker, and consequently many pupil-personnel services are not provided to the schools.

Attendance Work.

There are in general two aspects of attendance work:

1. *Preventive measures.* In the main the work in this area belongs to the superintendent, supervisor, principal and teacher. However, there are individual instances where the cooperation of the visiting teacher, or attendance worker, is required in order to make such measures effective.
2. *Corrective measures.* Such measures as are necessary should be taken to remedy conditions which are deterrent to the child's normal development and to his regular attendance at school. These are largely the duties of the attendance worker.

In the case of the compulsory attendance law, corrective measures will include investigating and prosecuting violators of the law. (See Rules of Procedure, Attendance Officer, p. 22)

Qualifications.

The attendance worker should be a mature person, one who has good judgment and the ability to analyze a situation carefully before he acts or suggests action.

He should be a college graduate, with some training in pupil-personnel services and related areas.

He should have had some experience in school work. A knowledge of the school and what it is trying to do—its place in the community—is desirable.

He should have an understanding of boys and girls, and their parents.

He should approach each problem with sympathy and with an attitude of helpfulness.

He should be firm, where the situation demands it, and apply the remedy best suited to each particular case in accordance with human understanding as well as the law.

He should dispatch his duties with promptness.

Above all, he should remember that enforcement of the law is a small part of his duty with respect to school attendance.

Suggested Duties.

Some of the duties that should be assigned to the attendance worker are as follows:

1. Visit schools and homes.
2. Assist teachers in keeping up-to-date census.
3. Make investigations as to physical and mental disabilities of children.
4. Assist in securing regular attendance of those of noncompulsory attendance ages.
5. Investigate maladjustments.
6. Investigate absences of those coming within compulsory attendance ages and make reports to principal of school concerning such investigations.
7. Work with other agencies in enforcement of compulsory attendance law—welfare, health, juvenile courts, etc.
8. Investigate and prosecute violators of the compulsory attendance law. (See Rules of Procedure, Attendance Officer, for further duties.)

PUBLIC WELFARE SERVICES

Section 115-304 of the General Statutes provides for the employment of special attendance officers. The Attorney General has ruled that where such officers have not been employed in accordance with this or any local statute "the County Superintendent of Public Welfare would still be charged with the duty of investigating and prosecuting all violators of the compulsory attendance law." (See Appendix.)

In county and city units which have not employed attendance workers, the county superintendent of public welfare performs the duties imposed upon attendance officers as specified in other sections of this publication.

There are many services available through county departments of public welfare which will enable the children needing these services to benefit more fully from their school experience as well as contribute to regular school attendance. These services include:

1. Carrying out legal responsibility in cooperation with the schools and the State Board of Public Welfare in determining mental incapacity of children unable to benefit from the regular school program. (See Appendix G. S. Section 115-303.)
2. Providing psychological service through the School Project Plan and to individual children referred for clinical service.
3. Cooperating with the Juvenile Courts in providing services to children with special problems, including behavior difficulties.
4. Cooperation with the courts in determining legal custody or guardianship of children.
5. Issuing employment certificates to minors in keeping with the child labor laws.
6. Providing financial assistance when need exists.
7. Certification and referral for special services, such as crippled children service, orthopedic clinics, eye clinics, Cerebral Palsy Hospital, and other medical and hospitalization needs.
8. Providing case work service in connection with problems of family relations.
9. Providing service to children needing care and protection through adoption, foster home care, specialized institutional placements, and other social services appropriate to meet the needs of the individual child.

Many children are out of school because of individual or social maladjustments. Economic or other problems in the home

are causes of nonattendance. All of these and other problems make the service of public welfare departments very important in achieving and maintaining regular school attendance.

SCHOOL HEALTH SERVICES

The good health of school children is a prerequisite to regular school attendance. Poor health in the form of sickness, ranging from bad colds to serious illness, is a deterrent not only to regular school attendance; it is often a cause of failure in school, sometimes resulting ultimately in final withdrawal.

The State Board of Health through its local health departments has long recognized the problem of community health—contagious diseases, immunizations, quarantine, etc.—and its work in this area has contributed to better community health and improved school attendance. There was instituted in 1939 a School Health Program administered jointly by the State Board of Health and the State Department of Public Instruction through a division by the name of the School Health Coordinating Service.

The work of this division at present covers the whole State in the promotion of five school health areas:

1. Health and safety instruction in the public schools.
2. Healthful school living (physical and mental environment).
3. Health service including identification and correction of physical defects. More specifically, school health services have the following major purposes:
 - a. Protection of the child against health hazards at school.
 - b. Health appraisal of all pupils, including teacher observation and screening, nurse inspection, and health examinations by physicians and dentists.
 - c. Correction of remediable defects through the family and family physician and help in living effectively with non-corrective defects.
 - d. Prompt and proper care of emergency illnesses and accidents.
 - e. Adjustment of the school program to meet the needs of children with defects that cannot be corrected.
 - f. Developing desirable habits and attitudes in pupils regarding health services.

- g. Assisting in determining the content of health instruction as it relates to a particular group of children.
- h. Providing information for individual health guidance.
- i. Education of pupils and parents regarding available health resources and their use.

4. Physical education in grades 1-12.
5. Athletics.

Beginning in 1949, an annual appropriation of \$550,000 has been made to the State Board of Education to aid in implementing the School Health Program. Also, appropriations to the State Board of Health were increased, thus enabling local health departments to expand their school health work. A good portion of the State Board of Education funds are used in detecting physical defects and in correcting chronic remediable defects for children of parents who are financially unable to pay for needed health services. Children are screened for deviations from normal by teachers and nurses, and those appearing to need further attention are referred to the health officer or private physician or dentist for medical or dental examinations. Parents of those who are found to need medical or dental services are advised to take their children to the family physician or dentist for further advice and/or service if needed.

SPECIAL EDUCATION SERVICES

Special education services were provided by the creation in 1948 of the Division of Special Education in the State Department of Public Instruction. (Sec. 115-31.11 General Statutes.)

This division has for its purpose "the promotion, operation, and supervision of special courses of instruction for handicapped, crippled, and other classes of individuals requiring special type instruction. 'Handicapped' has been defined to mean 'any educable child or youth between the ages of six and twenty-one years, inclusive, having a physical and/or mental disability which makes regular school room activities impractical or impossible, and children having need for special educational services.'"

Special education services are now being provided as follows:

1. Classes for slow-learning children are organized on a divided program basis with the children spending part of the time

in their own home room with normal children and the rest of the day in the special class where the curriculum is planned and adjusted to meet the needs of each individual child.

2. Speech correction, with a speech therapist working on an itinerant basis, meeting two or three times a week children who stutter, have delayed speech or articulation problems.

3. Classes for severely crippled children, with the children being brought into specially equipped classrooms.

4. Classes for the bedbound, with a teacher visiting the children in the homes and using the school-to-home teaching device, are being carried out on an experimental basis.

5. Classes for visually handicapped children whose vision is too poor to read regular textbooks and who need bold-type books.

6. Individual instruction in speech voice training, lip reading, and auditory training for children who are hard of hearing.

GUIDANCE SERVICES

The school's guidance service is aimed at assisting pupils in making the best possible adjustment in all areas of living. Thus it has a direct bearing on the attendance problem. Good attendance, good citizenship, wholesome motivation are by-products of good individual adjustment.

Most drop-out and attendance studies show some of the major contributing factors of the holding power of the school to be: the pupil's feeling of success or achievement, his sense of belonging in the school, his career plan, his desire to complete high school, and his participation in school activities. Counseling and guidance services in the school are designed to assist with these and other student needs.

Some general aims of counseling and guidance services are:

1. To help the pupil to become orientated to the school.
2. To help him understand himself and his environment and to make satisfying personal and social adjustments.
3. To help him know himself and his potentialities and to set goals and make plans in harmony with his needs and abilities.

4. To arouse in him ambitions within his reach and to encourage him to make maximum use of whatever abilities he may possess.
5. To encourage and assist him in selecting worthwhile in-school and out-of-school activities in relation to his interests, needs and abilities.
6. To assist him in identifying problems contributing to his dissatisfactions and in finding solutions to such problems.

Guidance services should be thought of as organized activities designed to give systematic aid to pupils in making wise choices and satisfactory adjustments to various types of problems which they meet—educational, vocational, health, personal and social. The heart of the guidance program is counseling, that service by which students are given individual assistance in identifying, undertaking and solving their problems, whether they be educational, vocational, or personal in nature. Every school can make some provision for counseling, either by having a trained professional counselor or by teacher-counselors.

V. APPENDIX

LAWS FROM THE GENERAL STATUTES OF NORTH CAROLINA

(Chapter 115)

CENSUS

§ 115-60. Continuous school census.—The State Board of Education shall adopt such rules and regulations as may be necessary for taking a complete census of the school population and for installing and keeping in the office of the county superintendent in each county of the State a continuous census of the school population. The cost of taking and keeping the census shall be a legitimate item in the budget and shall be paid out of the incidental fund. If any parent, guardian, or other person having the custody of a child, refuses to give any properly authorized census taker, teacher, school principal, or other school official charged with the duty of obtaining the census of the school population of any district, the necessary information to enable such person to obtain an accurate and correct census, or shall knowingly and willfully make any false statement to any person duly authorized to take the school census of any district relative to the age or the mental or physical condition of any child, he shall be deemed guilty of a misdemeanor and shall be fined not to exceed twenty-five dollars or imprisoned not to exceed thirty days in the discretion of the court. (1921, c. 179, s. 16; 1925, c. 95; C. S. 5435.)

Editor's Note.—By amendment, Public Laws 1925, c. 95, the last sentence of this section was added.

KINDERGARTENS

§ 115-65. Kindergartens may be established.—Upon a petition by the board of directors or trustees or school committee of any school district, endorsed by the county board of education, the board of county commissioners, after thirty days notice at the courthouse door and three other public places in the district named, shall order an election to ascertain the will of the people within said district whether there shall be levied in such a district a special annual tax of not more than fifteen cents on the one hundred dollars worth of property and forty-five cents on

the poll for the purpose of establishing kindergarten departments in the schools of said district. The election so ordered shall be conducted under the rules and regulations for holding special tax elections in special school districts, as provided in article 23 of this chapter.

The ballots to be used in said election shall have written or printed thereon the words, "For Kindergartens" and "Against Kindergartens."

If a majority of the qualified voters voting on such proposition shall vote in favor of the tax, then it shall be the duty of the board of trustees or directors or school committee of said district to establish and provide for kindergartens for the education of the children in said district of not more than six years of age and the county commissioners shall annually levy a tax for the support of said kindergarten department not exceeding the amount specified in the order of election. Said tax shall be collected as all other taxes in the county are collected and shall be paid by the sheriff or tax collector to the treasurer of the said school district to be used exclusively for providing adequate quarters and for equipment and for the maintenance of said kindergarten department. (1923, c. 136, s. 40; C. S. 5443.)

Such kindergarten schools as may be established under the provisions of this section, or established in any other manner, shall be subject to the supervision of the State Department of Public Instruction and shall be operated in accordance with standards to be provided by the State Board of Education.

Cited in Posey v. Board of Education, 199 N. C. 306, 154 S. E. 393.

ART. 7. CHILDREN AT ORPHANAGES

§ 115-67. Permitted to attend public schools.—Children living in and cared for and supported by any institution established or incorporated for the purpose of rearing and caring for orphan children shall be considered legal residents of the unit or district in which the institution is located, and a part or all of said orphan children shall be permitted to attend the public school or schools of the unit or district.

Provided, that the provisions of this section shall be permissive only, and shall not be mandatory. (1919, c. 301, s. 1; 1927, c. 163, s. 1; C. S. 5446.)

Editor's Note.—By Public Laws 1927, ch. 163, the provision for payment from an "equalizing fund" replaced a provision for payment from the state

"public school fund." The last sentence making the section permissive and not mandatory was also added at this time. The section was revised in the General Statutes of North Carolina adopted by the General Assembly of 1943.

Failure of Purpose of Trust.—A trust fund created by will for the purpose of educating through high school a girl inmate of an orphan asylum to be chosen by the board of trustees from time to time does not fall into the residuary clause for failure of the purpose of the trust on the ground that the State educated orphan children through high school without charge under the provisions of this section; since this section makes the payment for the education of the children in orphan asylums permissive only. *Humphrey v. Board of Trustees*, 203 N. C. 201, 165 S. E. 547.

ART. 25. LEGAL ATTENDANCE OF PUPILS IN SCHOOL DISTRICTS

§ 115-213. Children residing in a school district shall have the advantage of the public school.—The following persons residing in local tax or special school taxing districts shall be entitled to all the privileges and advantages of the public schools of said district or districts unless removed from school for cause:

- (a) All residents of the district who have not completed the prescribed course for graduation in the high school.
- (b) All children whose parents have recently moved into the district for the purpose of making their legal residence in the same.
- (c) Any child or children living with either the father or the mother or guardian who has made his or her permanent home within the district.
- (d) Any child received into the home of any person residing in the district as a member of the family, who receives board and other support free of cost. (1923, c. 136, s. 240; C. S. 5661.)

§ 115-214. Credits on tuition to nonresidents whose children attend in district.—Any parent or person in loco parentis residing outside of any local tax or special school taxing district, and owning property within said district, whose child, children, or wards shall attend school in said district, shall be entitled to receive as a credit on the tuition of said child, children, or wards the amount of special school taxes paid on said property. The county board of education may arrange with any such district to send any child or children residing in the county to the school in such district, if they are without adequate educational advantages, for the nine months term, and to pay the actual cost of the instruction of the children, including the appropriations

from the nine months school fund. (1923, c. 136, s. 241; 1943, c. 255, s. 2; C. S. 5662.)

Cross Reference.—As to power of the State Board of Education (successor to the State School Commission, 1943, c. 721) to transfer children from one district to another without the payment of tuition, see § 115-352.

Editor's Note.—The 1943 amendment substituted "nine" for "eight" in the second sentence.

ART. 42. GENERAL COMPULSORY ATTENDANCE LAW

§115-302. Parent or guardian required to keep child in school; exception. Every parent, guardian, or other person in the State having charge or control of a child between the ages of seven and fifteen years during the twelve months following July first, one thousand nine hundred and forty-five, and between the ages of seven and sixteen years thereafter shall cause such child to attend school continuously for a period equal to the time which the public school in the district in which the child resides shall be in session. The principal, superintendent, or teacher who is in charge of such school shall have the right to excuse the child from temporary attendance on account of sickness or distance of residence from the school, or other unavoidable cause which does not constitute truancy as defined by the State Board of Education. The term "school" as used in this section is defined to embrace all public schools and such private schools as have tutors or teachers and curricula that are approved by the county superintendent of public instruction or the State Board of Education.

All private schools receiving and instructing children of compulsory school age shall be required to keep such records of attendance and render such reports of the attendance of such children and maintain such minimum curriculum standards as are required of public schools; and attendance upon such schools, if the school or tutor refuses or neglects to keep such records or to render such reports, shall not be accepted in lieu of attendance upon the public school of the district, town, or city which the child shall be entitled to attend: *Provided*, instruction in a private school or by a private tutor shall not be regarded as meeting the requirements of the law unless the courses of instruction run concurrently with the term of the public school in the district and extend for at least as long a term. (1923, c. 136, s. 347; 1925, c. 226, s. 1; C. S. 5757; 1945, c. 826, s. 1; 1949, c. 1033, s. 1.)

§115-303. State Board of Education to make rules and regulations; method of enforcement. It shall be the duty of the State Board of Education to formulate such rules and regulations as may be necessary for the proper enforcement of the provisions of this article. The Board shall prescribe what shall constitute truancy, what causes may constitute legitimate excuses for temporary non-attendance due to physical or mental inability to attend, and under what circumstances teachers, principals, or superintendents may excuse pupils for non-attendance due to immediate demands of the farm or the home in certain seasons of the year in the several sections of the State. It shall be the duty of all school officials to carry out such instructions from the State Board of Education, and any school official failing to carry out such instructions shall be guilty of a misdemeanor. *Provided*, that section 115-302 shall not be in force in any city or county that has a higher compulsory attendance law now in force than that provided herein; but in any such case it shall be the duty of the State Board of Education to investigate the same and decide that any such law now in force has a higher compulsory attendance feature than that provided by this article.

Mental incapacity shall be an excuse for non-attendance, and is interpreted to mean feeble-mindedness or such nervous disorder as to make it either impossible for such child to profit by instruction given in the school or impracticable for the teacher properly to instruct the normal pupils of the school. In the case of feeble-minded children the teacher shall designate the same in her reports to the county superintendent of public welfare, and it shall be his duty to report all such cases to the State Board of Charities and Public Welfare. Whereupon said Board shall make, or cause to be made, an examination to ascertain the mental incapacity of said child and report the same to the county or city superintendent involved. Upon receipt of said report the local school authorities are hereby authorized, under such limitations and rules as the State Board of Education may adopt, to exclude said child from the public school when it is ascertained that the child cannot benefit by said instruction and his presence becomes a source of disturbance to the rest of the children. In all such cases in which a child is excluded from school a complete record of the whole transaction shall be filed in the office of the county or city superintendent and kept as

a public record. (1923, c. 136, s. 348; 1931, c. 453, s. 1; C. S. 5758.)

§115-304. Attendance officer; reports; prosecutions. The State Superintendent of Public Instruction shall prepare such rules and procedure and furnish such blanks for teachers and other school officials as may be necessary for reporting each case of truancy or lack of attendance to the chief attendance officer referred to in this article. Such rules shall provide, among other things, for a notification in writing to the person responsible for the non-attendance of any child, that the case is to be reported to the chief attendance officer of the county unless the law is immediately complied with. The county board of education in a county administrative unit and the board of trustees in a city administrative unit may employ special attendance officers to be paid from funds derived from fines, forfeitures and penalties, or other local funds, and said officers shall have full authority to prosecute for violations of this article; *Provided* that in any unit where a special attendance officer is employed, the duties of chief attendance officer or truant officer as provided by law shall, in so far as they relate to such unit, be transferred from the county superintendent of public welfare to the special attendance officer of said unit. (1923, c. 136, s. 349; 1939, c. 270; C. S. 5759.)

§115-305. Violation of law; penalty. Any parent, guardian, or other person violating the provisions of this article shall be guilty of a misdemeanor, and upon conviction shall be liable to a fine not less than five dollars nor more than twenty-five dollars, and upon failure or refusal to pay such fine, the said parent, guardian, or other person shall be imprisoned not exceeding thirty days in the county jail. (1923, c. 136, s. 350; C. S. 5760.)

§115-306. Investigation and prosecution by county superintendent or attendance officer. The county superintendent of public welfare or chief school attendance officer or truant officer provided for by law shall investigate and prosecute all violators of the provisions of this article. The reports of unlawful absence required to be made by teachers and principals to the chief attendance officer shall in his hands, in case of any prosecution, constitute *prima facie* evidence of the violation of this article and the burden of proof shall be upon the defendant to show the

lawful attendance of the child or children upon an authorized school. (1923, c. 136, s. 351; 1925, c. 226, s. 2; C. S. 5761.)

§115-307. Investigation as to indigency of child. If affidavit shall be made by the parent of a child or by any other person that any child between the ages of seven and fourteen years is not able to attend school by reason of necessity to work or labor for the support of itself or the support of the family, then the attendance officer shall diligently inquire into the matter and bring it to the attention of some court allowed by law to act as a juvenile court, and said court shall proceed to find whether as a matter of fact such parents, or persons standing in loco parentis are unable to send said child to school for the term of compulsory attendance for the reasons given. If the court shall find, after careful investigation, that the parents have made or are making a bona fide effort to comply with the compulsory attendance act, and by reason of illness, lack of earning capacity, or any other cause which the court may deem valid and sufficient, are unable to send said child to school, then the court shall find and state what help is needed for the family to enable the attendance law to be complied with. The court shall transmit its findings to the county board of education of the county or, in the city administrative units, to the board of trustees in which the case may arise. (1923, c. 136, s. 352; C. S. 5762.)

§115-308. Aid to indigent child. The county board of education shall in its discretion order aid to be given the family from the current expense fund of the county school budget to an extent not to exceed ten dollars per month for such child during the continuance of the compulsory term; and shall at the same time require said officer to see that the money is used for the purpose for which it is appropriated and to report from time to time whether it shall be continued or withdrawn. And the county board of education is hereby authorized in making out the county budget to provide a sum to meet the provisions of this article. (1923, c. 136, s. 353; C. S. 5763.)

ART. 43. COMPULSORY ATTENDANCE OF DEAF AND BLIND CHILDREN

§115-309. Deaf and blind children to attend school; age limits; minimum attendance. Every deaf and every blind child of sound

mind in North Carolina who shall be qualified for admission into a State school for the deaf or the blind shall attend a school for the deaf or the blind for a term of nine months each year between the ages of six and eighteen years. Parents, guardians, or custodians of every blind or deaf child between the ages of six and eighteen years shall send, or cause to be sent, such child to some school for instruction of the blind or deaf as is herein provided: *Provided*, that the board of directors of any school for the deaf or blind may exempt any such child from attendance at any session or during any year, and may discharge from their custody any such blind or deaf child whenever such discharge seems necessary or proper. Whenever a deaf or blind child shall reach the age of eighteen and is still unable to become self-supporting because of its defects, such a child shall continue in said school until it reaches the age of twenty-one, unless it becomes self-supporting sooner. (1923, c. 136, s. 354; C. S. 5764; 1945, c. 497, s. 1.)

§115-310. Parents, etc., failing to send deaf child to school guilty of misdemeanor; provisos. The parents, guardians, or custodians of any deaf children between the ages of six and eighteen years failing to send such deaf child or children to some school for instruction, as provided in this article, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, at the discretion of the court, for each year said deaf child is kept out of school, between the ages herein provided: *Provided*, that this section shall not apply to or be enforced against the parent, guardian, or custodian of any deaf child until such time as the superintendent of any school for the instruction of the deaf, by and with the approval of the executive committee of such institution, shall in his and their discretion serve written notice on such parent, guardian, or custodian, directing that such child be sent to the institution whereof they have charge. (1923, c. 136, s. 355; C. S. 5765; 1945, c. 497, s. 2; 1947, c. 388, s. 1.)

§115-311. Parents, etc., failing to send blind child to school, guilty of misdemeanor; provisos. The parents, guardians or custodians of any blind child or children between the ages of six and eighteen years failing to send such child or children to some school for the instruction of the blind shall be guilty of a mis-

demeanor, and upon conviction shall be fined or imprisoned, at the discretion of the court, for each year that such child or children shall be kept out of school between the ages specified: *Provided*, (1) that this section shall not be enforced against the parents, guardians, or custodians of any blind child until such time as the authorities of some school for the instruction of the blind shall serve written notice on such parents, guardians, or custodians directing that such child be sent to the school whereof they have charge; and (2) that the authorities of the State School for the Blind and the Deaf shall not be compelled to retain in their custody or under their instruction any incorrigible person or persons of confirmed immoral habits. (1923, c. 136, s. 356; C. S. 5766; 1947, c. 388, s. 2.)

§115-312. County superintendent to report defective children. It shall be the duty of the county superintendent to report through proper legal channels, the names and addresses of parents, guardians, or custodians of deaf, dumb, blind, and feeble-minded children to the principal of the institution provided for each, and upon the failure of the county superintendent to make such reports, he shall be fined five dollars for each child of the class mentioned above not so reported. (1923, c. 136, s. 357; C. S. 5767.)

AGE

§ 115-371. Age requirement and time of enrollment.—Children to be entitled to enrollment in the public schools for the school year 1939-1940 and each year thereafter, must be six years of age on or before October first of the year in which they enroll, and must enroll during the first month of the school year. The State Board of Education is hereby authorized and empowered, in its discretion, to change the above date of October first. The principal of any public school shall have the authority to require the parents of any child presented for admission for the first time to such school to furnish a certified copy of the birth certificate of such child which shall be furnished upon request by the register of deeds of the county having on file the record of the birth of such child without charge or other satisfactory evidence of date of birth. (1939, c. 358, s. 22½; 1949, c. 1033, s. 1; 1953, c. 985, s. 4.)

Editor's Note.—The 1949 amendment added the second (now third) sentence. The 1953 amendment inserted the second sentence.

RULINGS OF THE ATTORNEY GENERAL CONCERNING COMPULSORY SCHOOL ATTENDANCE

8 April, 1943

COPY

SUBJECT: Schools; Compulsory Attendance Law;
Duties of Welfare Officers; Enforcement.

Mr....., Superintendent
..... City Schools
....., North Carolina

Dear Mr.....:

You inquire if the welfare officers of the various counties of the State are relieved of all liability for assisting in the enforcement of the compulsory attendance law.

Prior to the year 1939, it was clearly the duty of the welfare officers in the various counties of the State to investigate and prosecute all violators of the compulsory attendance law, the applicable Sections being Consolidated Statutes 5017 (Now Section 108-14 of the General Statutes of North Carolina), which provided that the County Superintendent of Public Welfare should be the chief attendance officer of the county, and Consolidated Statutes 5761 (Now Section 115-306 of the General Statutes of North Carolina), which provided that the County Superintendent of Public Welfare or chief school attendance officer or truant officer provided for by law shall investigate and prosecute all violators of the compulsory attendance law.

The General Assembly of 1939 enacted Chapter 270 of the Public Laws of 1939, which was made a part of Consolidated Statutes 5759 (Now Section 115-304 of the General Statutes of North Carolina), and this Chapter provided that the County Board of Education in a county administrative unit and the Board of Trustees in a city administrative unit might employ special attendance officers to be paid from funds derived from fines, forfeitures and penalties, or other local funds, and that said officers shall have full authority to prosecute for violations of the compulsory attendance law. This Chapter contained a proviso to the effect that in any unit where a special attendance officer is employed, the duties of chief attendance officer or truant officer, in so far as they related to such unit, were transferred from the County Superintendent of Public Welfare to the special attendance officer of the unit.

The General Assembly of 1941, in enacting Chapter 270, Public Laws of 1941, rewrote Consolidated Statutes 5017 (Now Section 108-14 of the General Statutes of North Carolina), which outlines the powers and duties of County Superintendents of Public Welfare, and omitted therefrom that portion of the Section which designated the County Superintendent of Welfare as the chief school attendance officer of the county. That portion of Consolidated Statutes 5761 (Now Section 115-306 of the General Statutes of North Carolina), which places the duty of the investigating and prosecuting violators of the provisions of the compulsory attendance law on the County Superintendents of Public Welfare is not referred to in Chapter 270 of the Public Laws of 1941, and does not seem to be affected by it.

Thus, it would seem to me that in the absence of a local statute designating some other person as chief school attendance officer or truant officer, or in the absence of employment of such a person under the provisions of Chapter 270 of the Public Laws of 1939, the County Superintendent of Public Welfare would still be charged with the duty of investigating and prosecuting all violators of the compulsory attendance law. I do not have any information as to how many counties in the State have employed attendance officers under Chapter 270, Public Laws of 1939.

Of course you understand that the opinions of this Office are advisory only and are not binding on the courts of this State.

HARRY McMULLAN,
Attorney General.

Signed: GEORGE B. PATTON,
Assistant Attorney General.

GBP—d

2 September, 1943

COPY

SUBJECT: Schools; Compulsory Attendance Law;
Dismissal of Pupils; Mentally Defective Pupils.

DR. CLYDE A. ERWIN
State Superintendent of Public Instruction
Raleigh, North Carolina

Dear Dr. Erwin:

Receipt is acknowledged of your letter of August 31 enclosing a letter from Mr.....of....., North Carolina.

You desire to know what discretion, in my opinion, a principal or teacher has in judging whether or not a child should remain in school.

It seems to me that the compulsory attendance law contemplates that all children in North Carolina between certain ages should receive some type of training. The type of school in which such training is to be received is, to my mind, determined by the mental or physical condition of the particular child in question. If the child is a normal, healthy child, it should attend the public schools or a school which is included in the definition of "school" as contained in Section 5757 of Michie's NORTH CAROLINA CODE OF 1939, ANNOTATED (Now Section 115-302 of the General Statutes of North Carolina).

Section 5767 of Michie's Code (Now Section 115-312 of the General Statutes of North Carolina) provides:

"It shall be the duty of the superintendent to report through proper legal channels the names and addresses of parents, guardians, or custodians, of deaf, dumb, blind, and feeble minded children to the institution provided for each, and upon the failure of the county superintendent to make such reports, he shall be fined \$5.00 for each child of the class mentioned above not so reported."

Section 5567 authorizes physical examination of pupils attending the schools of the State. If a child is not found to be feeble minded or physically defective, to such an extent that the instruction of such child is provided for by the State of North Carolina otherwise than in the public school, it is my thought that such child should be accepted in the public schools of this State and would be subject to discipline in the school which such child attends.

Of course, Section 5563 of Michie's NORTH CAROLINA CODE OF 1939, ANNOTATED (Now Section 115-145 of the General Statutes of North Carolina), provides that a teacher in a school having no principal or the principal of a school shall have authority to suspend any pupil who willfully and persistently violates the rules of the schools or who may be guilty of a moral or disreputable conduct or who may be a menace to the school. This section further provides that every suspension for cause shall be reported at once to the attendance officer, who shall investigate the cause and shall deal with the offender, in

accordance with rules governing the attendance of children in schools.

It is therefore my opinion that unless the child about which Mr. inquires is a feeble minded child, the school authorities should accept the pupil and undertake to subject her to the discipline of the school and should only dismiss her if she comes within the purview of Section 5563 above referred to.

Yours very truly,

HARRY McMULLAN,

Attorney General.

Signed: GEORGE B. PATTON,

Assistant Attorney General.

GBP:LHA

January 6, 1944

COPY

SUBJECT: Schools; Compulsory Attendance;
Enforcement; Juvenile Courts; Procedure.

DR. CLYDE A. ERWIN
Superintendent of Public Instruction
Raleigh, North Carolina

Dear Dr. Erwin:

Receipt is acknowledged of your letter of January 3 enclosing letter from Superintendent.....of the.....schools. You desire that this office give an opinion on two questions raised in Mr.....'s letter.

The first question, "Does a special attendance officer have authority to pick up a child out of school and deliver him to the principal of his or her respective school?"

It is provided in Section 115-304 of the General Statutes of North Carolina (formerly C. S. 5759, as amended) that the county board of education in a county administrative unit and the board of trustees in a city administrative unit may employ special attendance officers to be paid from funds derived from fines, forfeitures and penalties, or other local funds, and that said officers shall have full authority to prosecute for violations of this article. The section further provides that in any unit where a special attendance officer is employed, the duties of chief attendance officer or truant officer insofar as they relate to such

unit shall be transferred from the county superintendent of public welfare to the special attendance officer of said unit. Thus, you will see that if the procedure outlined in this section is followed, the duties in connection with the enforcement of the compulsory attendance law would be transferred to the special attendance officer or officers and they would be clothed with such authority as is given attendance or truant officers under the law.

It will be noted that under the provisions of Section 115-303 of the General Statutes of North Carolina (formerly C. S., 5758, as amended) the State Board of Education is required to formulate such rules and regulations as may be necessary for the proper enforcement of the compulsory attendance law and the board is required to prescribe what shall constitute truancy. This section makes it the duty of all school officials to carry out the instructions of the State Board of Education and the failure to do so is made a misdemeanor.

Under the provisions of Section 115-306 (formerly C. S. 5761, as amended) the county superintendent of public welfare or chief school attendance officer or truant officer is required to investigate and prosecute all violators of the compulsory attendance law and reports of unlawful absence are required to be made by the teachers and principals to the chief attendance officer.

I do not find any specific statute which would tend to authorize an attendance officer to arrest a child who is out of school without the service of some process issued by the juvenile court. It is my thought that the attendance officer would be authorized to request a child who is out of school to accompany the attendance officer to the school, and, in attempting to secure the return of the child, to use the art of persuasion, but I am definitely of the opinion that the attendance officer would not be authorized to arrest the child or use any physical force in securing the child's return to school.

Under the provisions of Section 110-21 of the General Statutes of North Carolina (formerly C. S. 5039) the juvenile court has exclusive jurisdiction of the case of a child less than 16 years of age who is truant, and the judge of the juvenile court would be authorized to issue the proper process to bring the child before the juvenile court.

Your second question is, "What is the procedure in taking the child before a juvenile court judge?"

Section 110-25 of the General Statutes of North Carolina (formerly C. S. 5043) provides that any person having knowledge or information that a child is within the provisions of the juvenile court act and subject to the jurisdiction of the court may file with the court a petition verified by affidavit stating the alleged facts which bring such child within such provisions. The parties must set forth the name and residence of the child and of the parents, or the name and residence of the person having the guardianship, custody, or supervision of such child, if the same be known, or ascertained, by the petitioner, or the petition shall state that they are unknown if that be the fact.

Section 110-26, (formerly C. S. 5044) provides that upon the filing of the petition or upon the taking of a child into custody, the court may forthwith or after an investigation by a probation officer or other person, cause to be issued a summons, signed by the judge or the clerk of the court, directed to the child and to the parent or other person standing in the relation of parent requiring them to appear with the child at the time and place stated in the summons to show cause why the child should not be dealt with according to the provisions of the juvenile court act.

Section 110-28 (formerly C. S. 5046) provides for the service of the summons and further provides that in case the summons cannot be served or the party served fails to obey the same and in any case when it is made to appear to the court that summons will be ineffectual or that the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued on order of the court either against the parent or person standing in the relation of parent or against the child himself, and the sheriff or other lawful officer of the county in which the action is taken is required to serve all papers as directed by the court, but the papers may be served by any person delegated by the court for that purpose.

If I can be of any further assistance to you in this matter, please do not hesitate to call on me.

Very truly yours,

HARRY McMULLAN,
Attorney General.

Signed: GEORGE B. PATTON,
Assistant Attorney General.

21 September 1953

COPY

SUBJECT: Schools; Compulsory Attendance Law;
County in which Prosecution must
be brought.

Dr. Chas. F. Carroll
State Superintendent of Public Instruction
Raleigh, North Carolina

Dear Dr. Carroll:

I have your letter of September 17th in which you quote from a letter from the Attendance Officer in Burke County as follows:

"Burke County has an agreement with Caldwell County whereby children residing in Caldwell County can attend school in Burke County at.....School. This is a colored school.

"Attendance problems have arisen and we would like an opinion, whether or not we, in Burke County have the authority to prosecute parents of children who reside in Caldwell County but attend school in Burke? This is the only school provided by Caldwell County for them."

G. S. 115-352 provides that school children shall attend school within the district in which they reside unless assigned elsewhere by the State Board of Education. I assume that the children in question residing in Caldwell County have been properly assigned by the State Board of Education to the School in Burke County.

G. S. 115-302 makes it the duty of every parent, or other person, having control of a child between the ages of seven and sixteen, to cause such child to attend school continuously for a period equal to the time which the public school in the district in which the child resides shall be in session. G. S. 115-303 makes it the duty of the State Board of Education to formulate rules and regulations for the proper enforcement of the compulsory school law. I have been furnished by Mr. C. D. Douglas, Controller of the State Board of Education, with a copy of the present regulations issued by the State Board of Education. I note that Regulation 3.a for "the principal" of the school requires that he report unlawful absences to the attendance officer on forms provided by the State Board of Education. Regulation 2 for "the attendance officer" makes it the duty of the attendance of-

ficer as a last resort to cause a warrant to be issued against the parents charging a violation of the compulsory attendance law.

In the case outlined in your letter, it would seem that the responsibility is upon the principal of the.....School and the attendance officer in Burke County to send the notices and make the investigations required by law but if a prosecution is contemplated, it would seem that any violation of the law was committed by the parents in Caldwell County, the County of their residence. Therefore, I am of the opinion that the prosecution would have to take place in Caldwell County. The case of STATE v. JOHNSON, 188 N. C. 591, may throw some light on the subject. I feel sure that the school authorities of Caldwell County will co-operate with the authorities in Burke County. I sincerely hope that a visit by the attendance officer in Burke County to each of the parents in question will solve the problem without a prosecution.

I am enclosing an extra copy of this letter for the use of the Attendance Officer in Burke County.

HARRY McMULLAN

Attorney General

Signed: CLAUDE L. LOVE

Assistant Attorney General

CLL:n

CHILD ACCOUNTING FORMS

1. Census Card

(Front)

INDIVIDUAL SCHOOL CENSUS CARD

Name

Address: (In pencil) City..... County

1. Is child deaf? Blind? Crippled?

Feeble-minded?

2. If physically defective, what is defect? Eyes....; Ears....;

Nose....; Throat....; Teeth....

3. Other physical defects:

.....

4. Other helpful information:

.....

5. How was date of birth fixed: Birth certificate?

Bible record?

Parent's statement? Other?

DIRECTIONS

There should be one card for each child. Indicate age, race, sex, deaf, blind, crippled or feeble-minded by X mark. In "Days in school" column add X mark to indicate child ten years of age and over who cannot read and write. Write date in figures as 1946-7-4 (July 4, 1946). When a child moves, teacher will write on back of card to what town, district or county to which he goes or from which he comes, and send a duplicate of the card to the Superintendent. As soon as he is six years old make out duplicate cards for him and send one to the Superintendent. When a child dies, note fact of death on card and send to Superintendent. In case of revised cards the Superintendent will send a duplicate to the Superintendent into whose city or county the child goes. If a child is not in public school, indicate what school he attends.

(Reverse)

(Last Name)

(First Name)

(Middle Name)

Date of Birth:

Year..... Month..... Day..... Birthplace.....

White..... Negro..... Indian.....

..... Boy..... Girl..... Married.....
(Parent's or guardian's signature)

AGE	YEAR	Days in School	No. Dist.	SCHOOL	Grade	Pro-moted	REMARKS
6	19	19					
7	19	19					
8	19	19					
9	19	19					
10	19	19					
11	19	19					
12	19	19					
13	19	19					
14	19	19					
15	19	19					
16	19	19					
17	19	19					
18	19	19					
19	19	19					
20	19	19					

2. Notice of Absence

FORM C3

NOTICE OF ABSENCE (TEACHER'S NOTICE TO PARENT OR GUARDIAN)

.....19.....

Mr.:

You are hereby notified that your child,....., age.....years, was absent from school.....days this week.

The Compulsory Attendance Law makes it necessary for you to give an excuse for this absence. You may use the other side of this form for writing this excuse. Unless there is a good reason for continued absence, the child should be returned to school immediately.

Failure to give the required excuse will be considered as evidence in the violation of the Compulsory Attendance Law, and make it necessary that the absence of your child be reported to the Attendance Officer for his attention and investigation.

Very truly yours,

.....
Teacher.

Note: The Rules and Regulations governing the Compulsory Attendance Law require that the teacher shall send a written or printed notice to every parent or other person whose child has been absent, unless satisfactory excuse for such absence has already been rendered. If no satisfactory excuse is obtained, then the child shall be reported to the principal, who will in turn report him to the attendance officer as having violated the Compulsory Attendance Law.

3. Report of Unlawful Absence—Form C5

The teacher shall use this form in reporting to the principal the name of any child who has been or is unlawfully absent. Upon receipt of a report from the teacher giving the name of a pupil who has been absent unlawfully the principal shall, upon being satisfied that such pupil has been or is now unlawfully absent, report same with such additional information requested on this form to the attendance officer of his administrative unit. Use a separate form for each child so reported.

Form C5

REPORT OF UNLAWFUL ABSENCE
(Individual Pupil, Age 7-15 Years, Inclusive)

Date.....19.....

.....
Name of Pupil Absent

Age.... Grade.... Race....
..... School

Days Absent (Unexcused)
Days Absent.....

Absence Due to: Parental Indifference.. Truancy.. Poverty..

Date Notice Sent.....

Name of Parent or Guardian.....

Address

(Detail of Instructions, as to roads, community, etc., as to locating home)
.....

(Over)

(Reverse)

Date.....19.....

TO THE PRINCIPAL:

On.....19..... I investigated the unlawful absences of the pupil named on the other side of this report and am giving the following results and comments:
.....
.....
.....

Signed:.....

Attendance Officer

Note: The reverse side of this report should be prepared in duplicate and both copies given or sent to the attendance officer. After investigation or prosecution the attendance officer will complete this side and return the duplicate to the principal, keeping the original for his files.

4. School Record—Form D.L.4.

Two weeks previous to the close of the school term the teacher or principal shall read and explain the child labor law and rulings of the Department of Labor to the pupils. Opportunity shall then be given to those expecting to enter employment to make their desire known to the teacher or principal. Those wishing to enter employment will be furnished with a school record of evidence. The evidence secured upon this school record of evidence will be considered by the Superintendent of Public Welfare or authorized agent of the Department of Labor in issuing a child labor certificate in accordance with the provisions of the Child Welfare Law. (Chapter 110, N. C. Code.)

Form D. L. 4

N. C. DEPARTMENT OF LABOR

SUPERINTENDENT OF WELFARE

SCHOOL RECORD

This will certify that.....|.....|.....|.....
Name of Minor Age Sex Color

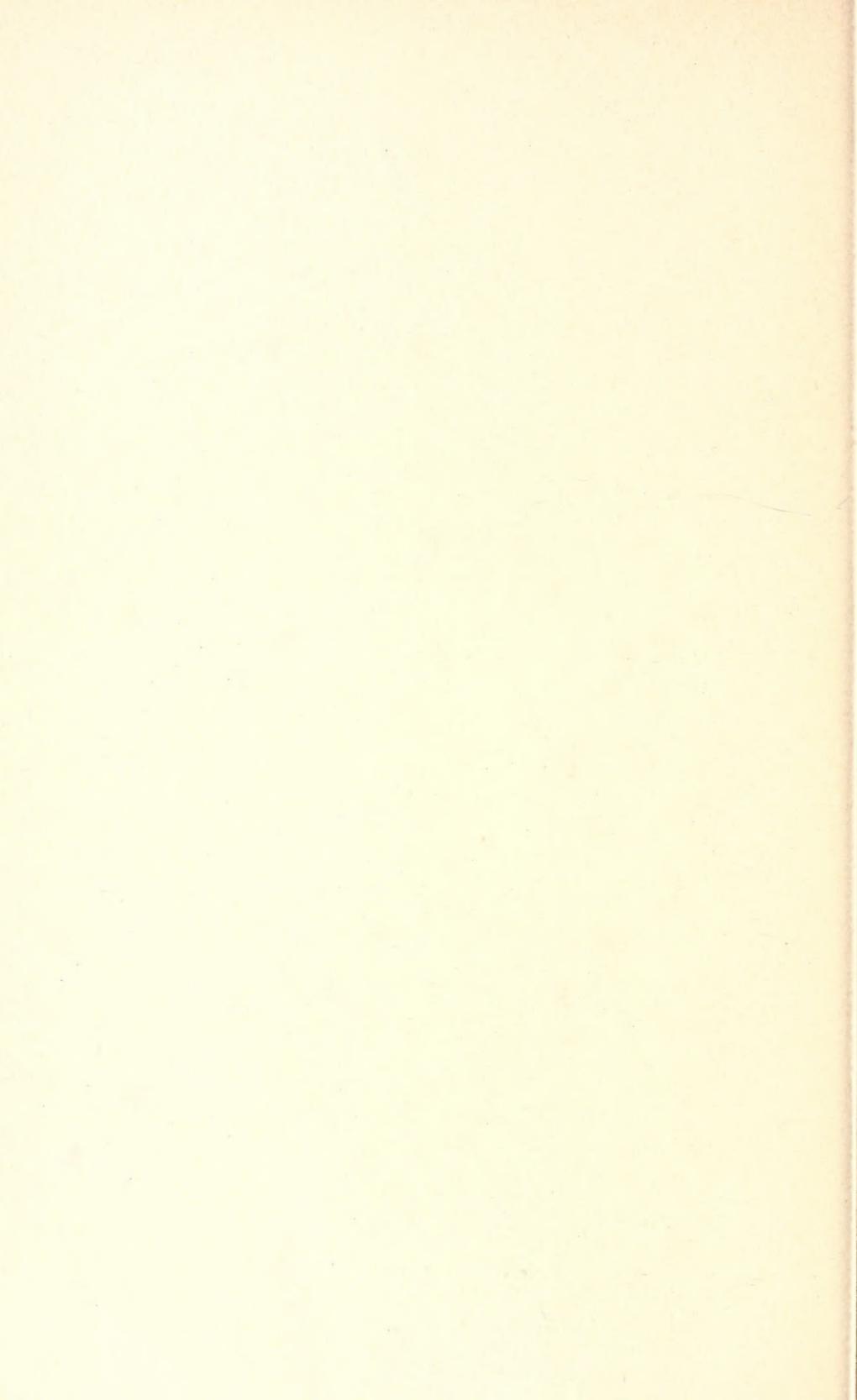
Address
Street City or Town County

has completed the.....grade in school,
according to the school records of the.....
Name of School

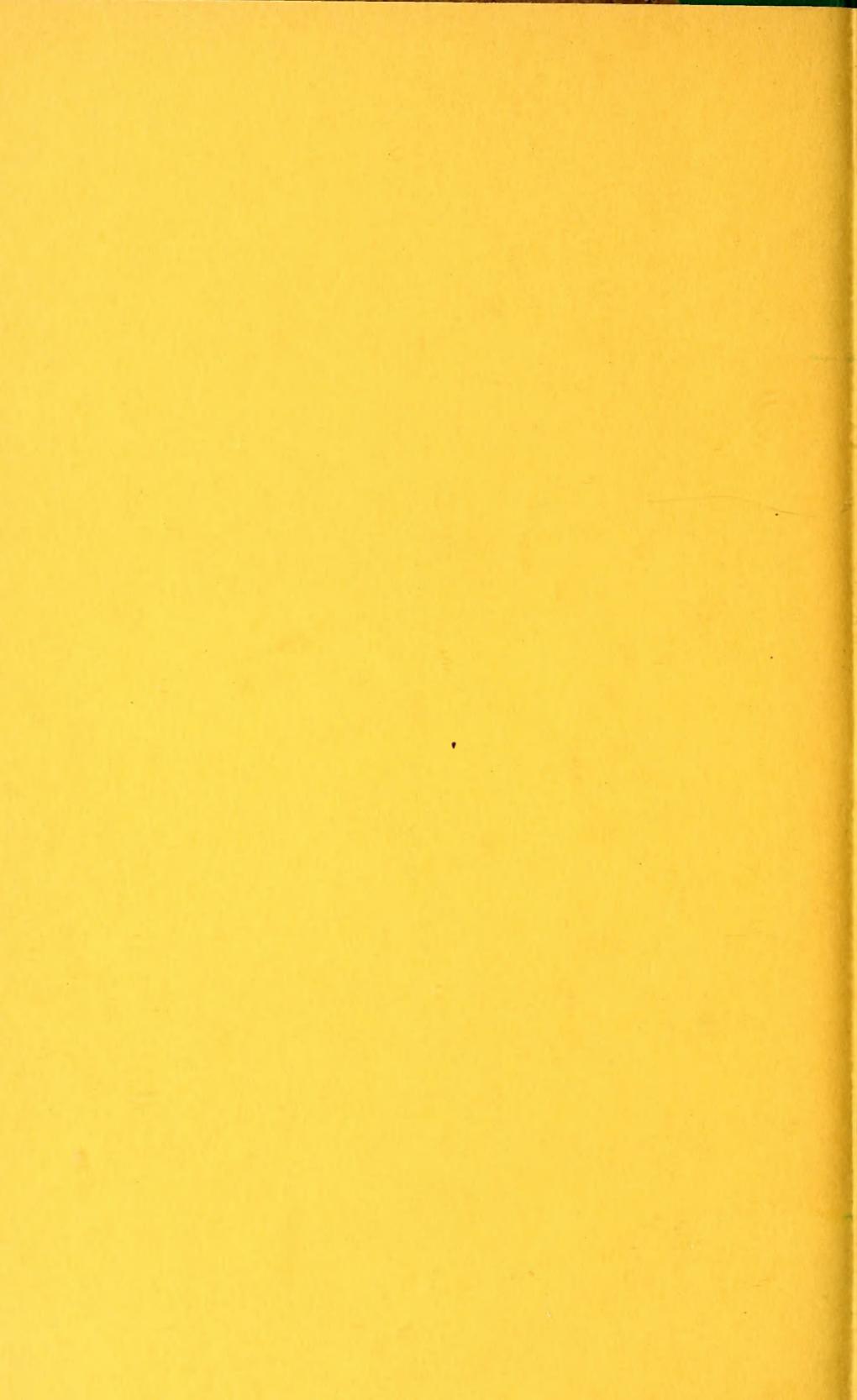
in
City or Town (County)

School official.....
Signature

Date.....19.....
.....
Official Title







UNIVERSITY OF N.C. AT CHAPEL HILL



00034026198

FOR USE ONLY IN
THE NORTH CAROLINA COLLECTION

